

UNITED STATE DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

NovaStar Mortgage, Inc.,)	CASE NO.: 1:05CV2821
)	
)	JUDGE PATRICIA A. GAUGHAN
)	
Plaintiff,)	
)	<u>ORDER VACATING JUDGMENT</u>
vs.)	<u>AND DISMISSING CASE</u>
)	
Susan E. Carnal, et al.,)	
)	
)	
Defendants.)	

ORDER VACATING JUDGMENT AND DISMISSING CASE

This matter is before the Court on the motion of Plaintiff for an entry vacating the judgement and decree of foreclosure entered in this case under Rule 60(B)(5) and for an order dismissing this case under Rule 41(A)(2) of the Federal Rules of Procedure. The Court hereby grants Plaintiff's motion. The judgment and decree of foreclosure entered in this case is hereby vacated and this action is hereby dismissed without prejudice at Plaintiff's costs.

IT IS SO ORDERED.

/s/ Patricia A. Gaughan
PATRICIA A. GAUGHAN
U.S. DISTRICT COURT JUDGE

Dated: 8/17/06